

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**CAROL BLANCHARD, EXECUTIVE DIRECTOR OF  
THE TEAMSTERS UNION 25 HEALTH SERVICES  
& INSURANCE PLAN,**  
Plaintiff,  
  
v.  
  
**DALE BLAKE,**  
Defendant.

C.A. No. 05-11879-JLT

**APPLICATION TO CLERK FOR ENTRY OF DEFAULT**

The Plaintiff, Carol Blanchard, in the above-captioned matter hereby requests pursuant to Rule 55(a) of the Federal Rules of Civil Procedure that the clerk enter default against the Defendant Dale Blake for failure to plead, answer or otherwise defend the action as required by said Rules, as shown on the attached Affidavit "A."

For the Plaintiff,  
**Carol Blanchard, Executive Director  
Of the Teamsters Union 25 Health  
Services and Insurance Plan,**  
By her attorney,



Matthew E. Dwyer, B.B.O.#139840  
Dwyer, Duddy and Facklam, P.C.  
Two Center Plaza, Suite 430  
Boston, MA 02108  
(617) 723-9777

Dated: 2/17/06

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**CAROL BLANCHARD, EXECUTIVE DIRECTOR OF  
THE TEAMSTERS UNION 25 HEALTH SERVICES  
& INSURANCE PLAN,  
Plaintiff,**

**v.**

**DALE BLAKE,  
Defendant.**

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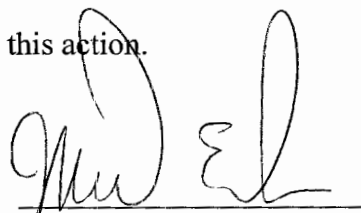
**AFFIDAVIT "A"**

I, Matthew E. Dwyer, states as follows:

1. My name is Matthew E. Dwyer. I am associated with the law firm of Dwyer, Duddy and Facklam, which at all times material herein has been counsel of record to the Plaintiff in the above-captioned action.
2. An examination of the Court's on-line file and our office file in this action shows that the Defendant was served with a copy of the complaint on September 20, 2005 by leaving it at her last and usual place of abode and by mailing it by first class mail to that address. A copy of the Summons with Return of Service is attached hereto for the clerk's convenience.
3. More than twenty (20) days have elapsed since the date on which Defendant was served "in hand" with the summons and a copy of the complaint, excluding the date thereof.
4. The Defendant has failed to answer or otherwise defend Plaintiff's complaint, or serve a copy of any answer or other defense which it might have upon Dwyer, Duddy and Facklam, attorneys of record for the Plaintiff.

5. This affidavit is executed by the affiant in accordance with Rule 55(a) of the Federal Rules of Civil Procedure for the purpose of enabling Plaintiff to obtain an entry of default against the Defendant for its failure to answer or otherwise defend this action.

Dated: 2/17/06

  
Matthew E. Dwyer

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Eastern

District of

Massachusetts

CAROL BLANCHARD, EXECUTIVE DIRECTOR  
of the TEAMSTERS UNION 25 HEALTH  
SERVICES & INSURANCE PLAN

SUMMONS IN A CIVIL ACTION

V.

DALE BLAKE

CASE NUMBER:

05 - 11879 JLT

TO: (Name and address of Defendant)

Dale Blake  
363 Albany Street  
Boston, MA 02118

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

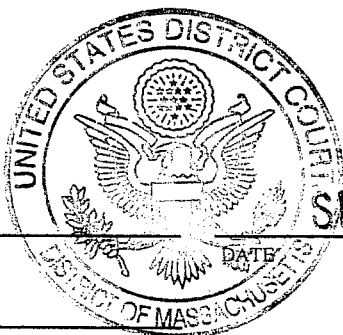
Matthew E. Dwyer, Esq.  
Dwyer, Duddy & Facklam  
Two Center Plaza, Suite 430  
Boston, MA 02108

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SARAH A. THORNTON

CLERK

(By)  CLERK



SEP 16 2005



**Suffolk County Sheriff's Department** • 45 Bromfield Street • Boston, MA 02108 • (617) 989-6999  
Suffolk, ss.

I hereby certify and return that on 9/20/2005 at 8:30AM I served a true and attested copy of the Summons, Complaint and Cover Sheet, Category Sheet in this action in the following manner: To wit, by leaving at the last and usual place of abode of Dale Blane, 262 Albany Street Boston, MA 02116 and by mailing it along to the above address on 9/20/2005. Basic Service Fee (NY) \$10.00, U.S. District Court Fee (\$8.00), Travel (\$21.00), Postage and Handling (\$1.00), Process/Copies \$0.00, Total Charges \$40.00

Deputy Sheriff George Silva

Deputy Sheriff

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

|  |          |
|--|----------|
| DECLARATION OF SERVER  |          |
| TRAVEL   | SERVICES |
| TOTAL \$0.00   |          |
| STATEMENT OF SERVICE FEES  |          |
| <input type="checkbox"/> Served personally upon the defendant. Place where served:<br><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.<br><input type="checkbox"/> Returned unexecuted:<br><input type="checkbox"/> Other (specify): |          |
| Name of person with whom the summons and complaint were left:  |          |
| Check one box below to indicate appropriate method of service  |          |
| NAME OF SERVER (PRINT)   | TITLE    |
| Service of the Summons and complaint was made by me <sup>(1)</sup>   | DATE     |
| RETURN OF SERVICE  |          |

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